

REMARKS

In the Office Action, the Examiner issued a Restriction Requirement under 35 USC 121, requiring restriction of pending claims 24, 25, and 30-58 to one of four groups (I-IV). Applicants hereby elect to prosecute the claims drawn to Group III in the present application.

Claims 24, 25, 30-40 and 53-58 have been canceled without prejudice in the above amendment as being drawn to the non-elected inventions. Applicants reserve the right to prosecute claims directed to these non-elected inventions in further continuing applications. Due to the Restriction and Applicants' decision to prosecute the claims of Group III, Claim 41 has been amended to clarify antecedent basis for the cancer cells, and Claims 59-78 have been added to further exemplify the inventions embodied by the presently elected claims drawn to Group III in the restriction. The amendment to Claim 41 is illustrated on the attached page entitled "Marked Up Version to Show Changes Made". For the Examiner's convenience, a clean copy of all the now pending claims 41-52 and 59-78 is provided above.

Respectfully submitted,
GENENTECH, INC.

Date: June 27, 2001

By: *Diane L. Marschang*
Diane L. Marschang
Reg. No. 35,600

1 DNA Way
So. San Francisco, CA 94080-4990
Phone: (650) 225-5416
Fax: (650) 952-9881

Marked Up Version to Show Changes Made

Claims 24, 25, 30-40 and 53-58 have been canceled without prejudice.

Claim 41 has been amended as follows:

41. (Amended) A method of treating a mammal having neuroblastoma cancer, comprising administering to the mammal Apo-2 ligand polypeptide in an amount effective to induce cell death in the mammal's neuroblastoma cancer cells.

Claims 59-78 have been added.